

DEC 17 2019

AO91 (Rev. 12/03) Criminal Complaint

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT

Southern District Of Texas Corpus Christi Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT**

vs.

Emmanuel GARCIA-Diaz

Case Number: C-19-4678M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about December 15, 2019 in Kenedy County, in the Southern District Of Texas defendant(s)

Emmanuel GARCIA-Diaz, a native and citizen of Mexico, and an alien who had been previously deported from the United States was found unlawfully within the United States in Sarita, Texas, the said defendant having not obtained the consent of the Attorney General or the Secretary of the Department of Homeland Security for application for readmission into the United States,

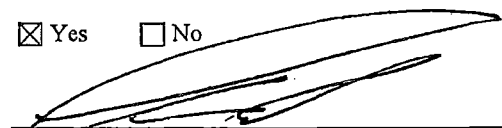
in violation of Title 8 United States Code, Section(s) 1326(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

On December 15, 2019, Border Patrol Agents encountered Emmanuel GARCIA-Diaz, at the United States Border Patrol Checkpoint near Sarita, Texas. Agents determined Emmanuel GARCIA-Diaz to be a citizen and national of Mexico without any immigration documents that would allow him to enter or remain in the United States legally. Record checks revealed Emmanuel GARCIA-Diaz was ordered removed from the United States by a designated official on November 22, 2019 and was physically removed from the United States to Mexico on November 23, 2019 via San Ysidro, California. Emmanuel GARCIA-Diaz stated he last entered the United States illegally on or about December 13, 2019 near Hidalgo, Texas.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No
Signature of Complainant

Rodriguez, Carlos E. Border Patrol Agent
Printed Name of Complainant

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on

December 17, 2019
Date

at Corpus Christi, Texas
City/State

Jason B. Libby U.S. Magistrate Judge
Name of Judge Title of Judge


Signature of Judge

CONTINUATION OF CRIMINAL COMPLAINT

United States Courts
Southern District of Texas
FILED

DEC 17 2019

David J. Bradley, Clerk of Court

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

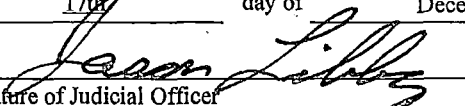
Emmanuel GARCIA-Diaz

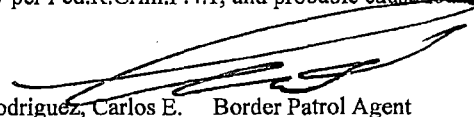
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At this time, there is no evidence to indicate Emmanuel GARCIA-Diaz has applied for re-admission into the United States by the United States Attorney General or the Secretary of the Department of Homeland Security. RGV North Prosecutions presented the facts to AUSA Julie Hampton who accepted prosecution for 8 USC 1326, Re-entry after Deportation.

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on

17th day of December, 2019


Signature of Judicial Officer


Rodriguez, Carlos E. Border Patrol Agent
Signature of Complainant